

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of a utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number	09/659,599
Filing Date	September 11, 2000
Confirmation Number	4766
First Named Inventor	Glenn H. McGall
Group Art Unit	1635
Examiner Name	Janet L. Epps Ford
Attorney Docket Number	2719.2001-000

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See *Changes to Application Examination and Provisional Application Practice*, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on ☐.
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ☐.
- iii. ☐ Other -- ☐.
- b. ☐ Please do not enter the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on ☐.
- c. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☒ Declaration of Glenn McGall Under 37 C.F.R. 1.132
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Petition for Extension of Time - three (3) months with copy
- v. ☐ Other -- ☐.

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ☐ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other -- ☐.

3. **Fees** The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.

- a. ☒ A check is enclosed for the following fees in the total amount of \$1770.
OR
☐ Authorization is granted to charge the following fees in the total amount of \$ to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 10/26/2004 SDEN3081 00000150 09659599 790.00 02
- iii. ☐ Amendment Fee 01 FC:1801
- iv. ☐ Other -- ☐.
- b. ☒ Authorization is hereby granted to charge any deficiency in fees or credit any overpayments to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	<i>Jesse A. Fecker</i>	Registration No. (Attorney/Agent)	52,883
Signature	Jesse A. Fecker, Ph.D.	Date	10-20-04

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type)	<i>Denise Carideo</i>	Date	10-20-04
Signature	<i>Denise Carideo</i>		

NSP/JAF/(amg)
October 20, 2004

PATENT APPLICATION
DOCKET NO. 2719.2001-000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Glenn H. McGall
Application No.: 09/659,599 Group: 1635
Filed: September 11, 2000 Examiner: Janet L. Epps-Ford
Confirmation No.: 4766
For: SYNTHESIS OF OLIGONUCLEOTIDE ARRAYS USING
PHOTOCLEAVABLE PROTECTING GROUPS

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
<u>10-20-04</u>	<u>Denise Canedo</u>
Date	Signature
<u>Denise Canedo</u>	
Typed or printed name of person signing certificate	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Reply for filing in the above-identified application.

- [] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- [] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1)	(COL. 2)	(COL. 3)	(COL. 2)	(COL. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	32	MINUS	* 32	0
INDEP	9	MINUS	** 9	0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

* not fewer than 20

** not fewer than 3

SMALL ENTITY	
RATE	ADDIT. FEE
X \$ 9	\$
X \$44	\$
+ \$150	\$

TOTAL = \$ 0

OTHER THAN SMALL ENTITY	
RATE	ADDIT. FEE
X \$18	\$ 0
X \$88	\$ 0
+ \$300	\$

TOTAL = \$ 0

Please charge Deposit Account No. 08-0380 for the following fees:

<input type="checkbox"/>	Petition for [] month Extension of Time	\$	_____
<input type="checkbox"/>	Amendment Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
	_____	\$	_____
	_____	\$	_____
	TOTAL:	\$	<u>0</u>

A check is enclosed in payment of the following fees:

<input checked="" type="checkbox"/>	Petition for three (3) month Extension of Time	\$	<u>980</u>
<input type="checkbox"/>	Amendment Fee	\$	_____
<input checked="" type="checkbox"/>	Other Fees:		
	Request for Continued Examination	\$	<u>790</u>
	_____	\$	_____
	TOTAL:	\$	<u>1770</u>

☒ A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Jesse A. Fecker
Jesse A. Fecker, Ph.D.
Registration No.: 52,883
Telephone (978) 341-0036
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: 10-20-04



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Glenn H. McGall

Application No.: 09/659,599

Group: 1635

Filed: September 11, 2000

Examiner: Epps-Ford, Janet L.

Confirmation No.: 4766

For: SYNTHESIS OF OLIGONUCLEOTIDE ARRAYS USING
PHOTOCLEAVABLE PROTECTING GROUPS

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
10-20-04	<i>Denise Caredeo</i>
Date	Signature
<i>Denise Caredeo</i>	
Typed or printed name of person signing certificate	

REPLY

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Reply is being filed in response to the Office Action mailed from the U.S. Patent and Trademark Office on April 20, 2004 in the above-identified application. Reconsideration and further examination are requested.

A Request for Continued Examination, along with the appropriate fee, is being filed concurrently herewith.

An extension of time to respond to the Office Action is respectfully requested. A Petition for Extension of Time and the appropriate fee are being filed concurrently with this Reply.